

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

LAS VEGAS DEVELOPMENT GROUP,  
LLC,

Plaintiff(s),

v.

2014-3 IH EQUITY OWNER, LP, et al.,

Defendant(s).

Case No.: 2:15-cv-00917-GMN-NJK

**Order**

The Court set this matter for a settlement conference. *E.g.*, Docket No. 116. Both the lead up to the settlement conference and the settlement conference itself involved numerous instances of unacceptable conduct that violated the Court's orders, the governing rules, and ethical obligations. These instances include the following:

1. Parties appearing at the settlement conference without all participants required by the Court's order and without seeking an exception to that order, *see, e.g.*, Docket No. 115 at 1-2 (requiring all counsel of record to appear unless a request is filed and granted);
2. Parties submitting settlement briefs that include significant misstatements of fact;
3. Parties submitting settlement briefs in an untimely manner;
4. Counsel and/or their staff emailing requests for relief from the Court rather than filing a proper request on the docket;<sup>1</sup>

<sup>1</sup> Given the current pandemic, the Court requires the email submission of settlement statements that include the email addresses for all participants. *See* Docket No. 129. These requirements do not implicitly ease any other limitations on *ex parte* communications with chambers staff or other conduct prohibited by the local rules.

- 1 5. Counsel and/or their staff telephoning chambers on several occasions regarding the
- 2 requirements for submitting a settlement statement, the intended recipients for video
- 3 instructions, or requesting relief from the Court;
- 4 6. Settlement conference participants regularly leaving the conference between
- 5 discussions, necessitating repeated efforts by the courtroom deputy to locate them;
- 6 7. Settlement conference participants not silencing their cell phones;
- 7 8. Settlement conference participants taking unrelated telephone calls while the
- 8 undersigned was trying to speak with them; and
- 9 9. Settlement conference participants turning their backs to tend to other matters while
- 10 the undersigned was trying to speak with them.

11 Each of these issues is problematic standing alone, but the existence of them all with respect  
12 to a single settlement conference is alarming. The Court expects better moving forward. The  
13 parties and counsel are cautioned that similar conduct in the future may result in the imposition of  
14 sanctions.

15 IT IS SO ORDERED.

16 Dated: July 21, 2020

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19 Nancy J. Koppe  
20 United States Magistrate Judge  
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